

Wetlands Bureau Decision Report

Decisions Taken
07/13/2009 to 07/19/2009

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2008-00583 NH DEPT OF TRANSPORTATION
MANCHESTER Unnamed Stream

Requested Action:

Request to amend the permit to provide additional scour protection adding 48 sq. ft. of permanent impacts and reducing temporary impacts with a net gain of an additional 16 sq. ft. of impact.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment on original application

APPROVE AMENDMENT:

Replace two 54 in. metal arch culverts with an 8 ft. x 5 ft. precast concrete box culvert adjacent to the Island Pond Rd. bridges over I-93 and install a soundwall impacting 14,916 sq. ft. of palustrine and riverine wetlands (6,769 sq. ft. temporary). NHDOT project #14170.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 03/08, as received by the Department on April 15, 2008 and as modified per plan received July 1, 2009.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

18. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), alteration of more than 200 linear feet of stream and banks.
2. The modification of the plan adds a small amount of stone for scour protection.

**2008-01436 GREAT HILL RESERVATION TRUST, SPAULDING & LINCOLN
TAMWORTH Unnamed Stream**

Requested Action:

Temporarily impact 2900 sq. ft. of wetlands to restore four rutted areas of a trail. Permanently impact 2160 sq. ft. of forested wetland for the placement of log corduroy within four sections of the trail. 350 sq. ft. of the permanent wetland impacts are within 100 feet of a prime wetland.

Conservation Commission/Staff Comments:

Tamworth Conservation Commission reviewed the application and found it to be acceptable. They have no objections to granting of the necessary permit. Letter in file received by the department March 17, 2009.

WITHDRAW APPLICATION:

Withdraw application proposal to temporarily impact 2900 sq. ft. of wetlands to restore four rutted areas of a trail; permanently impact 2160 sq. ft. of forested wetland for the placement of log corduroy within four sections of the trail. 350 sq. ft. of the permanent wetland impacts are within 100 feet of a prime wetland.

With Findings:

1. This is a Major Project per Env-Wt 303.02 (f) Projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. On July 07, 2009, the department received a request from the landowner to formally withdraw the pending application.
3. On July 15, 2009, there was no one in attendance at the public hearing.
4. The file has been forwarded back to the compliance section for further action.

**2008-02312 PUBLIC SERVICE OF NH
BOW Unnamed Wetland**

Requested Action:

Amendment request to increase the impacts 385 square feet to the bank of the Merrimack River to support an overhead limestone conveyor system and ductwork.

Conservation Commission/Staff Comments:

The project is proposing an in-lieu fee payment of \$ 78,157.28, into the Merrimack River Watershed Account.

APPROVE AMENDMENT:

Dredge and fill 29,540 square feet of wetlands for the installation of new air quality structures, contractor parking, limestone conveyor system, and roadway improvements further described as follows: Temporarily impact 2250 square feet of palustrine forested wetlands, including 1,314 cubic yards of 100-year flood plain for a chimney fabrication area, impact 385 square feet of bank of the Merrimack River to support the overhead limestone conveyor system and ductwork and permanently impact 26,905 square feet of scrub shrub wetlands for contractor parking and roadway improvements.

With Conditions:

1. All work shall be in accordance with plans by TF Moran sheets 17, 20, 21, 49, 51, 75, of 83 dated June 12, 2008, and revised

through October 22, 2008, as received by the Department on October 27, 2008 and sheets 14, 27 and 52, of 83 dated June 12, 2008 and revised through December 11, 2008, as received by the Department on December 12, 2008 and Wetland Impact Addendum Plan dated May 18, 2009 as revised through May 27, 2009 as received by the Department on June 2, 2009.

2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
4. Removal of trees or saplings within 50 feet of the reference line must comply with RSA 483-B:9V(a).
5. The permittee shall notify the NH Division of Historic Resources of the proposed project prior to the commencement of construction.
6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
7. Work shall be done during low flow.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. The applicant is to restore 35,485 square feet (1,314 cubic yards) of the 100-year flood plain impacted as part of this project by the expiration date of the wetland permit.
12. Area of temporary impact shall be regraded to original contours following completion of work, and all materials shall be removed from jurisdiction and from the 100-year flood plain.
13. All material removed during work activities shall be placed out of DES's jurisdiction.
14. Mulch within the restoration of the temporary impact area that is also within wetlands shall be straw.
15. Seed mix within the restoration area shall be a seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. Silt fencing must be removed once the area is stabilized.
20. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
21. This approval is contingent on receipt by DES of a one time payment of \$ 78,157.28, to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
22. The applicant shall provide a report to NH DES Wetlands including those areas identified for potential New England Cottontail Habitat enhancement. This report shall include the, locations, and status of the enhancements proposed.
23. The applicant shall provide receipts or alternate evidence, by January 1, of the next 5-years that they have contributed to the 5-year program designed to identify, manage and foster potential habitat for the New England Cottontail within existing PSNH Right-of-Ways.
24. This permit is contingent upon the execution of a conservation easement on 10.3 acres as depicted on plans by TF Moran dated September 15, 2008, as received by the Department on October 22, 2008.
25. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
26. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction within wetland jurisdiction.
27. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the

conservation area prior to construction.

28. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes], by February 1, 2009.

29. There shall be no removal of the existing vegetative undergrowth within the easement area, except as overseen by the NH Fish and Game Department for the enhancement or management of habitat for New England Cottontail.

30. The placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited within the easement area.

31. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

32. The applicant shall install permanent signs every 50 feet establishing the 100 foot no-cut buffer from the existing vernal pool on the site.

33. A post-construction report documenting the status of the restored temporary impact area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

The Department reaffirms findings 1-15 of the original approval.

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c); Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.

2. The proposed scrubber has been mandated to be installed by the NH Legislature per HB 1673.

3. The size and weight of the sections of the chimney require the fabrication area in close proximity to the installation location.

3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The security requirements of the plan and the safety of employees limits the location of the parking areas.

5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

7. DES Staff conducted a field inspections of the proposed project on May 22, 2008 and October 6, 2008. Field inspection observed the wetlands to be impacted by the chimney fabrication area are within the 100-year flood plain, the wetlands proposed to be impacted as part of the contractor parking area are scrub shrub and part of a larger wetland complex. The greatest area of impact is alongside the existing roadway and has been disturbed in the past.

8. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resources, as identified under RSA 482-A:1.

9. The applicant has conserved through a conservation easement 10.3 acres, to be held by the Town of Bow.

10. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.

11. The payment calculated for the proposed wetland loss equals \$78,157.28.

12. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

13. The payment into the ARM fund shall be deposited in the DES fund for the Merrimack River watershed per RSA 482-A:29.

14. The applicant received an approval of the request for vested rights under the Comprehensive Shoreland Protection Act on October 22, 2008.

15. The applicant received an approval, WPS-8261, from the Alteration of Terrain Program on November 13, 2008.

The Department makes the following additional finding.

16. The placement of the new units is dependant upon the locations of the existing units and facilities and therefore it was impossible to avoid these impacts.

2008-02634 BARTLETT IRREVOC TRUST, RUSSELL BARTLETT
EPSOM Unnamed Wetland

Requested Action:

Proposal to dredge and fill 29,506 sq. ft. of wetlands and associated streams for access to a proposed 40-lot residential subdivision and open space lot on an approximately 260-acre parcel. Wetlands impacts consist of installation of culverts and side slope grading

and filling for construction of the subdivision access road and one shared driveway. Compensatory mitigation for the proposed wetlands impacts consists of an approximately 160 acres onsite conservation easement/open space parcel.

APPROVE PERMIT:

Dredge and fill 29,756 sq. ft. of wetlands and associated streams for access to a proposed 40-lot residential subdivision and open space lot on an approximately 260-acre parcel. Wetlands impacts consist of installation of culverts and side slope grading and filling for construction of the subdivision access road and one shared driveway. Compensatory mitigation for the proposed wetlands impacts consists of an approximately 160 acres onsite conservation easement/open space parcel.

With Conditions:

1. All work shall be in accordance with plans by Joseph M. Wichert LLS, Inc., revision dated June 1, 2009 and plans by Northpoint Engineering, LLC revision dated May 6, 2009 and May 29, 2009, as received by DES on June 1, 2009 and narratives by Beaver Brook Environmental Consultants, as received and revised through June 1, 2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on approval by the United States Environmental Protection Agency ("EPA") of the proposed vernal pool buffer/conservation easement and language for proposed Lot #36-1-7.
5. At least 72 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. Future wetlands impacts for access to the conservation areas, if an allowed activity under the approved easements, would be considered with additional permitting.
8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
9. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Work shall be done during low flow.
13. The impacts (open bottom arch culverts) to the perennial streams at the proposed road crossing shall be restored/constructed with natural round stone or existing streambed materials and shall not include angular rip-rap.
14. A New Hampshire Certified Wetland Scientist ("CWS") shall monitor the project during construction to assure it constructed in accordance with the approved plans and narratives.
15. Wetland restoration areas shall have at least 75% success after two (2) growing seasons, or the areas shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
16. A post-construction report documenting the status of the restored streambeds and wetlands restoration areas shall be submitted to the Wetlands Bureau within 60 days of the completion of each impact and restoration area.
17. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
18. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
19. Unconfined work within the perennial streams, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
20. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
21. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
22. Temporary cofferdams shall be entirely removed immediately following construction.

23. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
24. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
25. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
26. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
27. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
28. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
29. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
30. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
31. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

Compensatory Wetlands Mitigation

Wetland and upland preservation:

32. This permit is contingent review and approval of the final conservation easement and language by the NHDES Mitigation Coordinator and the United States Environmental Protection Agency.
33. This permit is contingent upon the execution of a conservation easement on 159.1487 acres as depicted on plans received June 1, 2009.
34. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
35. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
36. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
37. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
38. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
39. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
40. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on December 31, 2008.
6. The applicant has provided open bottom arch culverts over the two proposed perennial stream crossings and has indicated that the culverts are 1.2x bank full width.
7. The applicant has looked at alternative lot designs for 40 to 44 lots on the approximately 260 acre lot. Wetlands impacts ranged

from impacts from 29,506 to 48,840 square feet. The final proposal consists of 40 residential lots over approximately 100 acres with an approximately 160 acre conservation easement parcel and an approximately 5.5 acre easement/buffer area to protect an identified vernal pool.

8. One impact area was eliminated, however, due to requirements of the Town Planning Board, impacts increased to a final proposal of 29,756 square feet of wetlands and associated stream impacts.

9. The applicant was sent a letter from the US Department of the Army, Corps of Engineers ("ACOE"), dated January 20, 2009, indicating the project was ineligible for the Programmatic General Permit process due comments received from the US Environmental Protection Agency ("EPA") regarding vernal pools.

10. The applicant has consulted with the EPA and provided an easement area to protect the identified vernal pool.

11. The permit is contingent on approval by the EPA.

12. The applicant has provided an approximately 160 conservation easement for compensatory mitigation.

13. The mitigation proposal is in accordance with Administrative Rules Chapter Env-Wt 800.

14. The permit is contingent on review and approval by the NH DES Mitigation Coordinator and EPA of the final conservation easement.

15. Review comments by the NH Fish and Game Department, Nongame and Endangered Species Program indicated they do not expect impacts to listed species. However, comments did include how the forested wetland in the northeast quadrant would be protected.

16. A majority of the wetland on the northeast side of the property and some areas along the north side are included in the 160 acre conservation easement area.

17. DES has not received any comments in opposition to the proposed project.

18. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine/riverine resource, as identified under RSA 482-A:1.

2009-00652 NH DEPT OF TRANSPORTATION
NEW CASTLE Little Harbor

Requested Action:

Remove & replace concrete encasements of steel pile supports for a bridge impacting 3,965 sq. ft. (3,800 sq. ft. temporary) of tidal water.

Conservation Commission/Staff Comments:

Cons. Commissions - no comments

APPROVE PERMIT:

Remove & replace concrete encasements of steel pile supports for a bridge impacting 3,965 sq. ft. (3,800 sq. ft. temporary) of tidal water. NHDOT project #15624.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design dated 3/09 as received by the Department on April 10, 2009.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
5. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
6. No work shall occur in the water between Jan 1 and July 1.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in tidal wetlands.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. This project was discussed on February 18, 2009 at the monthly Natural Resource Agency Meeting held at the NH Dept. of Transportation (DOT). The National Marine Fisheries Service has identified this area as a potentially important migratory route for herring and alewife. The permit is conditioned that no work be performed in the water between January 1 and July 1st.
6. The state threatened plant species noted by the Natural Heritage Inventory was investigated by the DOT Bureau of Environment and none were found in the project area. A state endangered bird and two bird species of concern are known to occur within a mile, but should not be impacted as the work will be in the subtidal area.
7. The Department of Environmental Services (DES) Staff conducted a field inspection of the project area on April 24, 2008. Field inspection determined that significant damage to the concrete encasement protecting the supports for the bridges had occurred and replacement is necessary to provide a safe roadway for the general public.
8. A review of the project relative to impaired waters finds that most work is temporary, will have no additional loading or change in use and best management practices are required in the conditions of approval, therefore there should be no additional impact to impaired waters.
9. DES Staff finds that this project will not have a significant impact on these estuarine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

-Send to Governor and Executive Council-

2009-00763 PERRAULT, KEVIN & CYNTHIA
HAMPTON Tidal Buffer

Requested Action:

Construct a 6 ft. X 118 ft. permanent pier with a 4 ft. x 24 ft. ramp landing on a 10 ft. x 20 ft. seasonal float to provide water access and temporarily impact 736 sq. ft. within the 100-ft tidal buffer zone and impact a total of 885 sq. ft. of tidal wetland (to include 661 sq. ft. of temporary impact and 224 sq. ft. of permanent impact) for the removal of a failing, wooden retaining wall to be replaced with a riprap revetment wall on 90 linear feet of shoreline frontage on Tide Mill Creek.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission 'does not oppose the granting of a wetlands permit.'

Inspection Date: 07/15/2009 by Eben M Lewis

APPROVE PERMIT:

Construct a 6 ft. X 118 ft. permanent pier with a 4 ft. x 24 ft. ramp landing on a 10 ft. x 20 ft. seasonal float to provide water access and temporarily impact 736 sq. ft. within the 100-ft tidal buffer zone and impact a total of 885 sq. ft. of tidal wetland (to include 661 sq. ft. of temporary impact and 224 sq. ft. of permanent impact) for the removal of a failing, wooden retaining wall to be replaced with a riprap revetment wall on 90 linear feet of shoreline frontage on Tide Mill Creek.

With Conditions:

1. All work shall be in accordance with plans by NHSC, Inc. dated March 2009, as received by DES on June 11, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for

obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The existing natural vegetation shall be reused to replant and stabilize the bank adjacent to the wall.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES personnel conducted a field inspection of the proposed project on July 15, 2009. Field inspection determined there is no fringe salt marsh at this location. The shoreline is mud coarse sand/gravel strand.
6. This structure will have no adverse impact on the marine resources in the area.
7. The NH PDA Division of Ports and Harbors, Chief Harbor Master has determined that "...the project would have no negative effect on navigation in the channel."
8. A memo from the NH Natural Heritage Bureau (the "NHB") dated January 15, 2009 identified several natural communities and vertebrate species within the vicinity of the project location.
9. The NH Fish and Game, Nongame and Endangered Species Program does not expect impacts to the rare and the threatened species listed on the aforementioned NHB memo.

-Send to Governor and Executive Council-

2009-00937 NH DEPT OF TRANSPORTATION
HAMPTON Unnamed Wetland

Requested Action:

Modify the I-95 toll booth area to accept high speed tolling impacting 9,911 sq. ft. (3,526 sq. ft. temporary) of palustrine wetlands.

Conservation Commission/Staff Comments:

Hampton Cons. Comm. states they received a drainage study, but it lacked specifics on water quality mitigation; they are not opposed to the project and prefer the mitigation funds for this and a previous project be earmarked for local watershed mitigation instead of regional projects.

Inspection Date: 06/18/2009 by Gino E Infascelli

APPROVE PERMIT:

Modify the I-95 toll booth area to accept high speed tolling impacting 9,911 sq. ft. (3,526 sq. ft. temporary) of palustrine wetlands. NHDOT project #15678.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design, as received by the Department on June 18, 2009 and as conditioned below.
2. This permit is contingent upon the submission of any modified or re-designed basin areas prior to any construction of that contract.
3. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans, for each contract

- impacting jurisdictional area, to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
 5. Construction equipment shall not be located within surface waters.
 6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
 7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
 8. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
 9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
 10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
 11. Appropriate storm water management and erosion control Best Management Practices (BMP) shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated. If the BMP conflicts with terms or conditions of this permit, the terms and conditions of this permit shall control.
 12. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly maintained during construction.
 13. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
 14. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
 15. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
 16. The impacts associated with the temporary work shall be restored immediately following construction.
 17. Mitigation for this project shall be provided prior to the completion of the project and in combination with the mitigation condition on permit 2004-01355.
 18. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) disturbance of more than 20,000 sq. ft. of nontidal wetlands in the aggregate as the adjacent permit 2004-01355 impacted 15,890 sq. ft. and RSA 482-A:11,V notes a series of related minor projects amount to a major project in the opinion of the department.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was discussed at the monthly Natural Resource Agency meetings were held at the NH Dept. of Transportation (NHDOT) on March 18, 2009 and April 15, 2009 to coordinate the project.
6. On May 14, 2009 the Hampton Conservation Commission (HCC) intervened, on June 4 submitted a letter of opposition due to the lack of information on drainage and treatment.
7. On June 11, 2009 the DES Wetlands Bureau received information from the NHDOT that the project will add 3.1 acres of pavement, will provide BMP's for 9.4 acres of pavement and noted that a drainage report was provided to the HCC.
8. DES Staff conducted a field inspection of the project area on June 18, 2009. Field inspection determined that most of the wetland impacts are in areas that were previously disturbed; that many of the existing culverts in the area were under water and that, due to the apparent high water table near the southbound off ramp, the conceptual water treatment design may not work if constructed as

shown on the plans received with the application and received just prior to the inspection.

9. On July 2, 2009 the DES received a letter from the HCC noting that they did receive a drainage study provided by NHDOT but it lacked specifics on water quality mitigation; they are not opposed to the project and prefer the mitigation funds for this and a previous project be earmarked for local watershed mitigation instead of regional projects.

10. RSA 482-A:28 established the Aquatic Resource Compensatory Mitigation Fund which is to be used within the hydrological unit code 8 watershed in which the project [impacts] are located.

11. On July 6, 2009, the DES Wetlands Bureau met with the NHDOT regarding the pond/ treatment design, flow obstruction and the estimated seasonal high water table at the north pond (A2).

12. On July 13, 2009, the DES Wetlands Bureau met with the NHDOT and discussed modifications to the drainage pipe layout, the construction of a forebay, treatment structure and yearly maintenance of the systems.

13. The project will improve traffic capacity.

MINOR IMPACT PROJECT

2008-02525 FERRY REVOC TRUST, JULIA SCOTT
GILFORD Lake Winnepesaukee

Requested Action:

Approve name change to: William E. Ferry Revocable Trust, Julia Scott Ferry Revocable Trust, 55 Broadview Terrace, Gilford, NH 03249 per request received 7/15/09. Previous owner: Skiffington Homes.

Conservation Commission/Staff Comments:

Con Com has comments

APPROVE NAME CHANGE:

Replace a 4 ft x 26 ft permanent dock with a 4 ft x 25 ft 7 in permanent dock in a new location, relocate an existing 3 pile ice cluster, and an existing seasonal boatlift to the center slip, install two seasonal PWC lifts in the easterly slip, relocate an existing permanent boatlift with a seasonal canopy to the dug in slip, install a 6 ft wide access stair from the dock to the waterbody, and construct a 286 sq ft perched beach, on an average of 197 ft of frontage on Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by David Dolan dated November 07, 2008, as received by DES on March 24, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.

12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be removed for the non-boating season. Further, the flexible fabric cover shall be removed during all seasons of non-use.
15. The new boatlift and 2 PWC lifts shall be of seasonal construction type. The seasonal support frame shall be removed for the non-boating season.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2009-00244 BELMONT, TOWN OF
BELMONT Unnamed Wetland

Requested Action:

Proposal to dredge and fill approximately 5,675 sq. ft. of wetlands and associated streams for repair of two existing culverts and clean/construct road side ditches along Horne Road. Proposed work consisted of slip lining a of a 72 in. x 80 ft. with a 63 in. x 80 ft. polyethylene culvert in Durgin Brook with associated headwall repairs; replace a 39 in. 52 in. x 64 ft. culvert with a 48 in. x 64 ft. culvert; and clean and construct roadside ditches in four areas along Horne Road.

APPROVE PERMIT:

Dredge and fill approximately 5,675 sq. ft. of wetlands and associated streams for repair of two existing culverts and clean/construct road side ditches along Horne Road. Work consists of repairing a 72 in. x 80 ft. culvert in Durgin Brook with a "shotcrete" lining repair, associated headwall repairs and inlet cleanout; replace a 39 in. 52 in. x 64 ft. culvert with a 48 in. x 64 ft. culvert with an outlet elevation adjustment, reconstructed stream channel with a plunge pool and boulder weir to repair flood damage; and clean and construct roadside ditches in four areas along Horne Road.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers, Inc., plan sheet drawing P2, revision dated April 30, 2009, as received by DES on May 1, 2009 with "Shotcrete" revision plan sheet drawing D2 dated July 1, 2009, and plan sheet drawing C4A dated July 1, 2009 and revised narratives dated July 1, 2009, as received by DES on July 6, 2009.
2. The Town shall obtain temporary construction easements and or written permission from affected landowners outside of the existing road right-of-way and shall supply copies of the easements or permission to DES Wetlands File No. 2009-00244 prior to construction.
3. Work shall be done during low flow.
4. This permit is contingent (if changes from approved plans) on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
10. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

20. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. DES rejected the proposed culvert slip lining at Durgin Brook due to the existing undersized culvert. The applicant is unable to reconstruct a properly sized culvert due to site constraints and funding.

6. DES and New Hampshire Fish and Game Department staff conducted a field inspection of the proposed project on June 10, 2009. It was recognized that the culvert and headwalls are failing, the area does have site constraints for changes to the culvert (i.e., large fill slopes and size of new structure would likely be very large and costly. DES requested that the applicant look for alternatives such as a concrete liner in order not to reduce the capacity of the existing culvert. Additionally, it was determined that changes to the an additional stream and culvert using a plunge pool and weir would be an appropriate alternate.

7. The applicant has revised the project to remove the slip liner and repair with shotcrete with an approximate 3.5 in. depth to approximately 2.5 feet from the bottom of the culvert.

8. This design appears to only have minimal changes to the existing culvert and should prevent the culvert from a failing due age.

2009-00491 CANTERBURY, TOWN OF **CANTERBURY Bryant Brook**

Requested Action:

Proposal to impact approximately 2,105 sq. ft. of Bryant Brook and associated wetlands for the replacement of a failing 13.5 ft. wide elliptical CMP culvert, redirect the stream and install a new 7 ft. high x 18 ft. wide x 50 ft. run box culvert.

APPROVE PERMIT:

Dredge and fill approximately 470 sq. ft. (198 linear ft.) of Bryant Brook and associated wetlands for the replacement of a failing 13.5 ft. wide elliptical CMP culvert with a new 8 ft. high x 18 ft. wide x 46 ft. run, natural embedded, concrete box culvert.

With Conditions:

1. All work shall be in accordance with plans by Lepene Engineering & Surveying, LLC, plan sheets 1 through 4 of 4 revision dated May 7, 2009, as received by DES on May 18, 2009.
2. Work shall be done during low flow.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. The Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2009-00491 prior to construction.
7. Construction equipment shall not enter the surface water and shall conduct work from the adjacent banks and upland areas.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. The stream channel bed and culvert embedding materials shall be restored with natural round stone or existing streambed materials and shall not include angular rip-rap.
11. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure it constructed in accordance with the approved plans and narratives.
12. Bank restoration plantings shall have at least 75% success after two (2) growing seasons, or the areas shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
13. A post-construction report documenting the status of the restored streambed shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
14. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
15. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
16. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
17. Temporary cofferdams shall be entirely removed immediately following construction.
18. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
19. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
22. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
23. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
24. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
25. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed work is to replace a failing culvert. It is not an in-kind replacement, however, it is in the same footprint, is approximately 4.5 wider span, 6 ft. shorter run and is embedded with natural streambed material.
6. The New Hampshire Fish and Game Department, Nongame and Endangered Species Program does not expect impacts from the proposed project.

2009-00568 DERRY, TOWN OF
DERRY Unnamed Stream

Requested Action:

Impact a total of 1,408 sq. ft. within the embankments and flow channel for work associated with the replacement of the existing deteriorated bridge which carries Florence Street over Shields Brook.

Conservation Commission/Staff Comments:

No comments or report was received from the Derry Conservation Commission.

APPROVE PERMIT:

Impact a total of 1,408 sq. ft. within the embankments and flow channel for work associated with the replacement of the existing deteriorated bridge which carries Florence Street over Shields Brook.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated June 2009, as received by DES on June 15, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-00792 LONDONDERRY DPW, TOWN OF
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill a total of 9,950 sq. ft. (including 560 sq. ft. of temporary impacts) in palustrine forested/scrub-shrub wetlands for work associated with widening the existing failed roadway intersection at NH Rte 28 & Page Road to include embankment widening, culvert extensions, headwall relocations, embankment slopes and stone apron outlets.

Conservation Commission/Staff Comments:

"The [Londonderry Conservation] Commission voted at its May 12 meeting to recommend approval of the application as presented."

APPROVE PERMIT:

Dredge and fill a total of 9,950 sq. ft. (including 560 sq. ft. of temporary impacts) in palustrine forested/scrub-shrub wetlands for work associated with widening the existing failed roadway intersection at NH Rte 28 & Page Road to include embankment widening, culvert extensions, headwall relocations, embankment slopes and stone apron outlets.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc. dated 04/24/2009, as received by DES on April 29, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01132 ALTON, TOWN OF
ALTON Unnamed Stream

Requested Action:

Remove and Replace existing 48 inch CMP culvert on Alton Shores Road and upgrade with a 9 foot wide by 4 foot high open bottom box culvert to prevent culvert failure and damage to the road and to improve conditions for fish passage through a perennial stream - Forhock Brook. Impact is 53 linear feet and fill of 370 sq.ft. temporary impact and 330 sq.ft. of permanent impacts to include stone aprons, coffer dams and stone lined swale and plunge pool. Install 24 inches of round river stone to stabilize culvert area and replicate a natural substrate. Install 18" deep by 8' diameter stone lined plunge pool.

APPROVE PERMIT:

Remove and Replace existing 48 inch CMP culvert on Alton Shores Road and upgrade with a 9 foot wide by 4 foot high open bottom box culvert to prevent culvert failure and damage to the road and to improve conditions for fish passage through a perennial

stream - Forhock Brook. Impact is 53 linear feet and fill of 370 sq.ft. temporary impact and 330 sq.ft. of permanent impacts to include stone aprons, coffer dams and stone lined swale and plunge pool. Install 24 inches of round river stone to stabilize culvert area and replicate a natural substrate. Install 18" deep by 8' diameter stone lined plunge pool.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers, plan sheets 1 through 4 dated May 20, 2009 as received by DES on June 5, 2009.
2. Work shall be done during low flow.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Construction equipment shall not enter the surface water and shall conduct work from the adjacent banks and upland areas.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. The stream channel bed and culvert embedding materials shall be restored with natural round stone or existing streambed materials and shall not include angular rip-rap.
10. Prior to beginning work under this permit, the authorized Town official(s), the contractor, and the wetland scientist shall review the permit, plan and construction sequence to ensure that the work is planned to be carried out in a manner to minimize impacts to the environment and to ensure there will be no water quality degradation.
11. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure it constructed in accordance with the approved plans and narratives.
12. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
14. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
20. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
22. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. The storms of 2006 eroded an entire section of Alton Shores Road and made the road impassable.
2. Due to the ongoing flooding issues at this location, the town of Alton sought and received a Hazardous Mitigation Grant from the NH Bureau of Emergency Management which is funded in part by the Federal Emergency Management Agency. This grant is

providing funding to replace and upgrade the existing undersized culvert at Frohock Brook on Alton Shores Road.

3. The proposed culvert design effectively doubles the size of the culvert and will replicate natural conditions of the stream, thus improving instream habitat conditions and aquatic passage at the existing culvert crossing.

4. The proposed culvert upgrade project provides significant environmental benefit and furthers the public interest by minimizing and preventing further flooding and road damage.

5. Because of the public need and funding timeframe presented by this project, this permit request meets the guidelines for expediting permit application pursuant to SOP No. 201.

6. The applicant has secured permission from landowners within 20 feet and from direct abutters to carry out the work under this permit.

MINIMUM IMPACT PROJECT

2004-00089 SEABROOK, TOWN OF
SEABROOK Cains Pond

Requested Action:

Maintenance dredge 7,500 cubic yards of accumulated sediments and debris (approx. 49,000 sq. ft.) within Cain's Pond and install stormwater outfall trap chamber(s) curbside BMP as part of the Town of Seabrook's Watershed Restoration Program in conjunction with the NH DES Watershed Assistance Grants Program.

Conservation Commission/Staff Comments:

The Seabrook Conservation Commission strongly supports and advocates for this restoration project associated with the Cains Brook estuary.

APPROVE PERMIT:

Maintenance dredge 7,500 cubic yards of accumulated sediments and debris (approx. 49,000 sq. ft.) within Cain's Pond and install stormwater outfall trap chamber(s) curbside BMP as part of the Town of Seabrook's Watershed Restoration Program in conjunction with the NH DES Watershed Assistance Grants Program.

With Conditions:

1. All work shall be in accordance with plans by Waterfront Engineers, LLC dated September 19, 2008 & April 9, 2009, as received by DES on September 25, 2008 & April 13, 2009 respectively.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Seabrook Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Dredged material shall be disposed of in an area(s) outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), Restoration of altered or degraded wetlands provided the project: (1) Receives financial support and direct supervision of a New Hampshire state agency, the US EPA, the US ACoE, the US NRCS or the US F&WS.
2. The NH DES Watershed Assistance Grants Program awarded two (2) Section 319 Grants to the Town of Seabrook for the Cain's Pond Restoration to reduce non-point source pollution and restore a waterbody listed as impaired on the state's 303(d) list.
3. The stormwater/ sediment trap BMP component of this project has been coordinated with the NH DOT relative to problems with stormwater runoff from US Rte 1 contaminating Cain's Pond.
4. The Cain's Pond/ Mill Creek watershed is an impaired freshwater stream and tidal estuary, the tidal portion of which is also undergoing restoration to eradicate invasive plant species.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00551 HELEN S MCCLOSKEY REVOC TRUST
RINDGE Unnamed Wetland

Requested Action:

Dredge and fill \pm 2,821 sq. ft. of palustrine scrub-shrub wetlands for the construction of a \pm 34,000 commercial plaza.

APPROVE PERMIT:

Dredge and fill \pm 2,821 sq. ft. of palustrine scrub-shrub wetlands for the construction of a \pm 34,000 commercial plaza.

With Conditions:

1. All work shall be in accordance with plans by Oak Engineers dated May 28, 2008, as received by the Department on May 29, 2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction occurring directly adjacent to wetlands on the north eastern portion of the lot to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. In correspondence dated April 21, 2008, the Rindge Conservation Commission raised concerns regarding the wetland delineation.
3. In correspondence received May 29, 2009, Conservation Commission concerns regarding the wetland delineation were addressed by a second NH Certified Wetland Scientist.
4. The project includes low impact design techniques.
5. The Applicant's NH Certified Wetlands Scientist has confirmed there are vernal pools.
6. The site layout has avoided dredge and fill of the larger and higher functioning wetlands located on the eastern portion of the lot.
7. Natural Heritage Bureau review has indicated the project will not impact an exemplary natural community or community with

occurrences of state or federally listed Endangered or Threatened species.

8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

9. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-02018

PETRI, DAPHANE

LYME Post Pond

Requested Action:

Install a 40 ft timber retaining wall landward of full lake elevation, construct a 40 retaining wall at the rear of the beach area, retain 4 cubic yards of sand placed on the beach and retain a 6 ft x 30 ft seasonal dock on an average of 277 feet of frontage on Post Pond, Lyme.

Conservation Commission/Staff Comments:

Con Com submitted no comments by July 15, 2009

APPROVE PERMIT:

Install a 40 ft timber retaining wall landward of full lake elevation, construct a 40 retaining wall at the rear of the beach area, retain 4 cubic yards of sand placed on the beach and retain a 6 ft x 30 ft seasonal dock on an average of 277 feet of frontage on Post Pond, Lyme.

With Conditions:

1. All work shall be in accordance with plans by Robert Newton, as received by DES on May 01, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. Notify DES upon project completion and provide photo documentation of completed work.
4. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Work shall be done during drawdown.
9. Material placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 428.8). The existing shoreline at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. No addition sand shall be used and all sand shall be located above the normal high water line.
11. This permit does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a) and (d), construction of a seasonal dock and construction of a beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided

evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The proposal to perch the existing sloped beach will minimize erosion of sand into the waterbody.

2008-02626 THE PIER PEOPLE, DBA WENTWORTH MARINA
NEW CASTLE Little Harbor

Requested Action:

Maintenance dredge 2,833 sq. ft., having a volume of 184 cubic yards, of clean sand material which was carried into this intertidal area during significant rain events of 2008 to restore depth to the launch service area to provide continued safe navigation from the launch dock to and from the mooring field in Little Harbor.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission intervened on this application, however, no follow-up report or comments were received.

Inspection Date: 02/06/2009 by Frank D Richardson

APPROVE AMENDMENT:

Maintenance dredge 2,833 sq. ft., having a volume of 184 cubic yards, of clean sand material which was carried into this intertidal area during significant rain events of 2008 to restore depth to the launch service area to provide continued safe navigation from the launch dock to and from the mooring field in Little Harbor.

With Conditions:

1. All work shall be in accordance with plans by Watermark Planning & Permits dated 10/27/08, as received by DES on December 01, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the New Castle Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. This one-time maintenance dredge permit to restore depths to the launch dock area in tidal waters per Env-Wt 304.11(b) shall be done between November 15, 2009 and March 15, 2010, and shall not be permitted during a fish migration or larval setting stage of shellfish.
5. Dredged material shall be placed back into the eroded channel from which the material came and be properly stabilized.
6. The clogged drain in the upland tidal buffer zone which contributed to the erosion and subsequent sedimentation in tidal waters shall be properly maintained to avoid future impacts.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Work shall be done during periods of low tide.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the Department based on the degree of environmental impact.

2. This one-time maintenance dredge permit to restore depths to the launch dock area in tidal waters per Env-Wt 304.11(b) shall be done between November 15, 2009 and March 15, 2010, and shall not be permitted during a fish migration or larval setting stage of shellfish.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has provided evidence corroborating that this project constitutes maintenance dredging to establish pre-storm event bottom contours.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) and (c), Requirements for Application Evaluation, has been considered in the design of the project.

2009-00086 JANISCH, KARL
EPPING Unnamed Wetland

Requested Action:

Dredge and fill 709 sq. ft. of wetlands for lot development to construct a commercial building.

Inspection Date: 12/18/2008 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill 709 sq. ft. of wetlands for lot development to construct a commercial building.

With Conditions:

1. All work shall be in accordance with revised plans by Beals Associates PLLC dated 5/28/2009, as received by DES on 6/13/2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Due to the position of the wetland finger on the lot, it is necessary to impact a small portion of the wetland to develop the lot with a small commercial building.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has revised the plan to avoid the wetland to the greatest degree practicable and still meet the intended use, which reduced the impact from 2,150 sq. ft. to 709 sq. ft.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project area.
5. The Epping Conservation Commission had concerns regarding drainage and minimization of impacts; the revised plans provide a site drainage management plan, and have redesigned the plan to reduce the wetlands impact by 67%.

2009-00330 CHARLOTTLE LLC, CHRISTOPHER GUIDA
NELSON Granite Lake

Requested Action:

Repair existing 85 ft x 4 ft of retaining wall a 28 ft x 10 ft patio, and 29 linear feet of retaining wall, "in kind" on Granite Lake, Nelson.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application

APPROVE PERMIT:

Repair existing 85 ft x 4 ft of retaining wall a 28 ft x 10 ft patio, and 29 linear feet of retaining wall, "in kind" on Granite Lake, Nelson.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services revision dated June 09, 2009, as received by DES on June 15, 2009.
2. Repair shall maintain existing size, location and configuration.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. Work shall be done during drawdown.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls that is performed "in the dry" during draw down.

2009-00343 NEW BOSTON, TOWN OF
NEW BOSTON Unnamed Wetland

Requested Action:

Dredge and fill \pm 1,200 sq. ft. of palustrine forested wetlands to install two (2) 2-ft. x 3-ft. x 24-ft. elliptical embedded culverts for access to the proposed New Boston Library.

APPROVE PERMIT:

Dredge and fill \pm 1,200 sq. ft. of palustrine forested wetlands to install two (2) 2-ft. x 3-ft. x 24-ft. elliptical embedded culverts for access to the proposed New Boston Library.

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants, LLC dated November 24, 2008, as received by the Department on February 25, 2009.
2. This permit is contingent on approval by the DES Shoreland Program.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is

stabilized.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet of wetlands.
2. New Boston Conservation Commission comments received on May 08, 2009, requested a box culvert with a natural bottom, a 50 foot vegetated buffer from the South Branch Piscataquog River and that all necessary measures are taken to prevent site runoff.
3. In correspondence dated July 10, 2009, the New Boston Conservation Commission stated the reviewed the revised elliptical culvert proposal and voted to accept the culvert as proposed.
4. The Natural Heritage Bureau (NHB) review has indicated presence of the state endangered, brook floater in the project vicinity.
5. In email correspondence received March 16, 2009, the NHFG Nongame and Endangered Wildlife Program communicated concerns regarding project siting of the library in the riparian buffer and general floodplain impacts on water quality, brook floater mussel and wood turtle. Relocating the project site out of the high quality riparian areas was suggested.
6. The Applicant response received July 13, 2009, communicated the Town feels there are no alternative sites available for construction of a library.
7. In 2001 New Boston Town Meeting passed a Warrant Article authorizing the town to purchase this parcel for construction of a library. The deed was conveyed in 2003.
8. The Applicant revised the originally proposed 24-inch x 40-foot culverts with 2-ft. x 3-ft. x 24-ft. elliptical embedded culverts.
9. The Applicant response received July 13, 2009, has indicated the project includes provisions to capture and infiltrate runoff from the roof and parking area.
10. This permit is contingent on approval from the DES Shoreland Program.
11. Piscataquog River Local Advisory Committee comment was not received.
12. This project was previously approved by Wetlands and Non-Site Specific Permit 2008-00828.
13. The Town was unable to raise funds for construction prior to the expiration of Wetlands and Non-Site Specific Permit 2002-00828.
14. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
15. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
16. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-00380 NH DRED, DIV OF FOREST & LANDS
STRATFORD Nash Stream

Requested Action:

Dredge and fill approximately 1,500 square feet within the bed and banks of Slide Brook (impacting 225 linear feet) to replace an undersized, perched 6' metal culvert with a 42' span bridge to restore fish passage for native brook trout and to restore natural sediment transport from Slide Brook to Nash Stream.

APPROVE PERMIT:

Dredge and fill approximately 1,500 square feet within the bed and banks of Slide Brook (impacting 225 linear feet) to replace an undersized, perched 6' metal culvert with a 42' span bridge to restore fish passage for native brook trout and to restore natural sediment transport from Slide Brook to Nash Stream.

With Conditions:

1. All work shall be in accordance with revised plans by USDA Natural Resources Conservation Service (NRCS) dated May 15, 2009, as received by DES on June 30, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. In-stream work shall be done during low flow conditions.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposes to restore fish passage and natural sediment transport to this important native brook trout stream.
2. The project is funded by the USDA NRCS, NHDES, the US Fish & Wildlife Service, NH Charitable Foundation's Upper Connecticut River Mitigation and Enhancement Fund, and the NH Fish & Game Department. The project will have direct supervision and oversight from the NH Fish & Game Department, Trout Unlimited and the NH DRED Division of Forest & Lands.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-00651 NH FISH & GAME DEPARTMENT
CARROLL Unnamed Stream

Requested Action:

Propose to impact 22 sq. ft. of the bank of a perennial stream for the consolidation of discharge pipes to a single pipe at the Twin Mountain Fish Hatchery.

APPROVE PERMIT:

Impact 22 sq. ft. of the bank of a perennial stream for the consolidation of discharge pipes to a single pipe at the Twin Mountain Fish Hatchery.

With Conditions:

1. All work shall be in accordance with plans by Nobis Engineering, Inc. entitled: Twin Mountain Fish Hatchery (sheets C-1 to C-5) as received by DES on April 09, 2009.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
5. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting

and pinning on slopes steeper than 3:1.

9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. In accordance with the newly revised EPA/DES National Pollution Discharge Elimination System rules, all existing State hatchery pipeline systems will require a permit in order to monitor the discharge of various pollutants.

6. The project will allow NH Fish and Game to comply with the new rules by proposing the reconstruction of the existing pipeline system at the Twin Mountain Fish Hatchery.

7. The Twin Mountain Hatchery discharge permit number is NH0000744.

8. The applicant re-affirmed with DES Wastewater Division that the permit status is unchanged and that they are aware of the pipeline consolidation project.

9. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the NH Natural Heritage Bureau or the Carroll Conservation Commission.

2009-00782 NERR LLC
HOOKSETT Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,200 sq.ft. of manmade wetlands for drainage pipe and for parking associated with development of the approximately 3 acre lot for commercial expansion.

APPROVE PERMIT:

Dredge and fill a total of 2,200 sq.ft. of manmade wetlands for drainage pipe and for parking associated with development of the approximately 3 acre lot for commercial expansion.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering dated July 15, 2009 as received by DES on July 14, 2009.

2. Work shall be done during low flow.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. The infiltration and water quality treatment system will be maintained to ensure that there is no additional loading to surface waters associated with the impaired waters.
6. The owner, wetland scientist and contractor shall meet to review the permit and its conditions, plans and construction sequence prior to the start of construction under this permit to ensure that the work is done in a manner that will minimize environmental impacts and ensure that there is no water quality degradation.
7. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
10. Silt fencing must be removed once the area is stabilized.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. The subject tract is located on the easterly side of West River Road (NH Route 3A) directly across the street from Sunrise Boulevard in Hooksett.
2. Large amounts of sand and fill were removed from this 41 acre parcel over the years.
3. The applicant is developing this property for the purpose of subdividing and purchasing a 3 acre portion of the land.
4. The facility will be supported by a parking lot to fill approximately 35 cars and a service area west of the building to store company's trucks and equipment.
5. The proposed wetland impact area A will be to the isolated man-made wetland to the west of the site.
6. This impact is necessary to provide adequate storage on-site, parking and drainage improvements.

2009-00870 PSNH
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill 2,150 sq. ft. of isolated palustrine scrub-shrub wetlands (portion of a finger wetland) for work associated with the upgrade and expansion of the PSNH Scobie Pond electrical transmission substation.

Conservation Commission/Staff Comments:

"The [Londonderry Conservation] Commission voted at its last meeting to recommend approval of the application ..." (letter received by DES May 29, 2009.)

APPROVE PERMIT:

Dredge and fill 2,150 sq. ft. of isolated palustrine scrub-shrub wetlands (portion of a finger wetland) for work associated with the upgrade and expansion of the PSNH Scobie Pond electrical transmission substation.

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc. dated May 5, 2009, as received by the DES on May 08, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2009-01399 MATHES, ROGER
PEMBROKE Unnamed Stream

COMPLETE NOTIFICATION:
Pembroke Tax Map 937, Lot# 15.2

2009-01400 SIMONDS-WIENEKE, VIRGINIA
EATON Unnamed Stream

COMPLETE NOTIFICATION:
Eaton Tax Map R7, Lot# 14

2009-01402 SIMONDS, MOIRA
EATON Unnamed Stream

COMPLETE NOTIFICATION:
Eaton Tax Map R7, Lot# 13

2009-01403 KENISTON, ELMER
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map/Lot# 402/2 & 403/26

2009-01404 WEBSTER LAND CORP, C/O WAGNER FOREST MGMT
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map/Lot# 17/7-6 & 22/1-6

2009-01405 REMICK FOUNDATION, EDWIN
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 209, Lot# 26

2009-01408 **NEW ENGLAND FORESTRY FOUNDATION**
LYNDEBOROUGH **Unnamed Stream**

COMPLETE NOTIFICATION:
Lyndeboro Tax Map 203, Lot# 5

2009-01461 **UPLAND FARM INC**
PETERBOROUGH **Unnamed Stream**

COMPLETE NOTIFICATION:
Peterborough Tax Map R3, Lot#40

2009-01462 **NH DRED**
WILTON **Unnamed Stream**

COMPLETE NOTIFICATION:
Wilton Tax Map Russell Abbott State Forest

2009-01463 **NH DRED**
CHARLESTOWN **Unnamed Stream**

COMPLETE NOTIFICATION:
Charlestown Tax Map/Lot# 224/3 & 229/6

2009-01475 **GUIDA-SIEBERT DAIRY COMPANY, ALEX GUIDA**
NELSON **Unnamed Stream**

COMPLETE NOTIFICATION:
Nelson Tax Map 9, Lot# 68

2009-01476 **DELAND, FRANK**
LYNDEBOROUGH **Unnamed Stream**

COMPLETE NOTIFICATION:
Lyndeboro Tax Map 206, Lot# 16

2009-01477 **CANN, MARIA**
HENNIKER **Unnamed Stream**

COMPLETE NOTIFICATION:
Henniker Tax Map 1, Lot# 315A

2009-01478 BREWSTER, MARIETTA
HAVERHILL Unnamed Stream

COMPLETE NOTIFICATION:
Haverhill Tax Map 422, lot# 4

2009-01479 MCLLVAIN, THOMAS & CLAUDIA
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R8, Lot# 4 & 5

2009-01487 JOHNSON JR TRUST, SAMUEL
NORTHWOOD Unnamed Stream

COMPLETE NOTIFICATION:
Northwood Tax Map 201, Lot# 3

2009-01488 JOHNSON JR TRUST, SAMUEL
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map 1, Lot# 1

EXPEDITED MINIMUM

2009-00435 BARTLETT, TOWN OF
BARTLETT Unnamed Stream

Requested Action:

Dredge and fill approximately 200 sq. ft. (26 linear ft.) and approximately 20 linear feet of pond bank to repair and replace three metal road culverts with twin 24 in. x 26 ft. CMP culverts at the outlet of the pond and install two beaver control boxes ("beaver pipes") within the pond bank.

APPROVE PERMIT:

Dredge and fill approximately 200 sq. ft. (26 linear ft.) and approximately 20 linear feet of pond bank to repair and replace three metal road culverts with twin 24 in. x 26 ft. CMP culverts at the outlet of the pond and install two beaver control boxes ("beaver pipes") within the pond bank.

With Conditions:

1. All work shall be in accordance with "Existing location-Culvert Replacement" profile plan dated August 25, 2008 and typical detail plan, as received by DES on March 16, 2009 and "Site Survey" plans dated September 28, 2006, as received June 15, 2009 and narratives dated June 11, 2009 and as received by DES on June 15, 2009.
2. Work shall be done during low flow or no flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k) and do not exceed any of the following criteria:
 - (1) Drainage structures shall not exceed 3,000 square feet of dredge or fill in area;
 - (2) Culverts shall not cross streams 10 feet wide or greater, measured from base of bank slope to base of bank slope;
 - (3) Wetlands crossed shall have no standing water for 10 months of the year and shall not exceed 50 feet across, measured along the roadway, and the fill width measured at the base of the roadway side slopes shall not exceed 50 feet; or
 - (4) Shoulder widening shall not exceed 3 cubic yards of fill per linear foot in wetlands that have no standing water for 10 months of the year, and shall not exceed 10 feet of additional encroachment measured from base of slope; andAdministrative Rule Env-Wt 303.04 (m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
2. RSA 210:9, II allows for the removal of a beaver dam.
3. Administrative Rule Env-Wt 303.05 (j) allows for removal of a beaver dam without a permit from DES: Removal of a beaver dam by hand or machine provided:
 - (1) Machinery does not enter the water or create any disturbance by filling or dredging to adjacent surface waters, wetlands, or their banks;
 - (2) All dredged materials are placed out of department jurisdiction; and
 - (3) Removal of the dam is done in a gradual manner that does not allow a sudden release of impounded water so as to cause erosion or siltation.
4. RSA 210:9, II was recently amended (see Senate Bill 124) to allow for the installation of beaver pipes, therefore, a permit from DES will no longer be required to install beaver pipes upon the effective date of the act and if the work complies with the amended RSA.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The work is needed to prevent overtopping of the existing beaver dam, subsequent flooding of the roadway and failed culverts resulting in erosion of the existing roadway and downstream wetlands.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant is attempting to maintain the existing pond elevation, reduce and prevent ongoing erosion and provide safe and stable access to his and the United States Department of Agriculture Forest Service's ("USFS") property.
9. The USFS is in support of the project, is the listed agent on the wetlands application and has provided plans and technical assistance to the applicant.
10. The USFS Engineers have sized the proposed culvert to handle normal flows, prevent building the road elevation higher which could restrict flood flows and passage and has determined that under larger flows the entire area and culverts are under water from

flooding from the Saco River.

11. Due to the inundation, installation of larger culverts would likely not add any benefit unless the entire stream channel was restored for passage (i.e., if the site ever reverted back to a complete stream without a beaver pond).
12. The Bartlett Conservation Commission is in support of the proposed project.
13. The Bartlett Board of Selectmen is in support of the project and granted permission for the work in the Town right-of-way.
14. The owners of two properties abutting the pond upstream of the proposed work submitted comments in opposition to the proposed project. Comments (complete and detailed comments are contained in the Wetlands Bureau File #2009-00435, phone note dated March 17, 2009, letters dated March 27, 2009, as received by DES on March 27, 2009 and March 30, 2009, letter dated March 31, 2009, as received by DES on April 2, 2009, letter dated May 5, 2009, as received by DES on May 7, 2009 and letter dated June 3, 2009, as received by DES on June 5, 2009) ranged from opposition to the proposed project due to potential impacts to the wetlands and wildlife from reduction of the pond elevation, ownership rights, sizing of the proposed culverts, type of stream, name of the stream, historic conditions of the pond and stream, historic and illegal work on the dam and roadway and access to the area from other USFS lands.
15. The applicant has provided a response to the these concerns.
16. As previously noted the beaver dam could be removed and pond allowed to completely drain without a permit from DES as long as the work complied with current the RSA and Administrative Rule.
17. The applicant's proposal requests to maintain the pond at the same or similar surface elevation.
18. As previously noted a recent amendment to RSA 210:9, II, when effective will allow for the installation of beaver pipes without a permit from DES.
19. The current proposal requests to maintain a similar pond elevation, however, the landowner could remove the beaver dam without a permit with no constraints on the pond elevation.
20. The Town and applicant have provided copies of the Court's decision allowing use of the road.
21. DES inspected the site on July 21, 2008 with the USFS. It was clear during the inspection that the existing culverts were in need of repair and the unstable road surface and area surround the culverts was eroding into the stream. At the time of the inspection there was water in the pond and pockets of water in the pools and channel below the beaver dam, however, it did not appear water was flowing.
22. DES informed the USFS the it is concerned about the condition of the stream crossing and culverts and wants to maintain flows and prevent erosion from the road.
23. The USFS indicted that they wanted to maintain the pond elevation that would not flood the road/dam.
24. The USFS indicated during the site inspection that there may be possible future access to their lands but it needs the current road for access to there lands now for management and for emergency access.
25. The New Hampshire Fish and Game Department ("NHFGD") was is in support of work approved by the USFS.
26. The New Hampshire Natural Heritage Bureau ("NHB") indicated that they approved of the culvert crossing but wanted more information on the beaver pipes. DES indicated that this information had been requested.
27. DES received the beaver pipe information along with the applicant's response dated June 11, 2009, as received by DES on June 15, 2009.
28. No further comments had been received from NHB at the time of this decision.
29. The Local Advisory Committee (LAC) had no comments and deferred to the Wetlands Bureau.
30. The proposed beaver pipe installation and culvert replacement is within 20 ft. of the right-of-way and abutting property line of land owned by the Birchview Homeowners Association ("Association"). The applicant was not able to obtain a written agreement from the Association as required by Administrative Rule Env-Wt 304.04(a), which states, the department shall limit the location of a project to at least 20 feet from an abutting property line or imaginary extension thereof over surface water unless it receives written agreement from the affected abutter concurring with any impact that may result relative to the abutter's interests.
31. The applicant has requested a waiver to the Env-Wt 304.04.
32. The applicant provided the certified mail receipts and copy of the request letter sent to the Association.
33. The USFS received a response e-mail response (dated June 6, 2009) from the Association President indicating that the Association takes no position on the proposal and is not empowered to respond one way or the other to your request.
34. The Town supports the proposed work.
35. The applicant has proposed to maintain a similar pond elevation and is replacing culverts that are clearly in disrepair.
36. It is a reasonable request by the applicant to provide safe access for the applicant, USFS and the Public.
37. The existing activities at the site, erosion of the road, overtopping of the road is a continued impact to the site.
38. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.

39. The waiver to Administrative Rule 304.04 is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

2009-00510 LAMSON REVOC TRUST, DOUGLAS
ALTON Lake Winnepesaukee

Requested Action:

Install a seasonal boatlift in the southern boat slip adjacent to the existing 5 ft x 32 ft permanent dock, install 2 PWC lifts along the shoreline on an average of 106 feet of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install a seasonal boatlift in the southern boat slip adjacent to the existing 5 ft x 32 ft permanent dock, install 2 PWC lifts along the shoreline on an average of 106 feet of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated February 11, 2009, as received by DES on March 25, 2009.
2. Seasonal boat lift and seasonal PWC lifts shall be removed for the non-boating season.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ac) and (ad), installation of a seasonal watercraft lift.

2009-00619 PARMENTER REALTY INVESTMENTS LLC
CONCORD Unnamed Wetland

Requested Action:

Dredge and fill 660 square feet of man made wetland for roadway access for a proposed "residential community" consisting of 25 condominium units.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene on the proposed project.

APPROVE PERMIT:

Dredge and fill 660 square feet of man made wetland for roadway access for a proposed "residential community" consisting of 25 condominium units.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc., revision dated August 19, 2008, as received by DES on April 10, 2009.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the

recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.

6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore, stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A similar impact was approved (Wetlands Bureau #2004-00161), however, the project has changed and the permit would have expired before construction.
6. The access road layout was requested by the City/Town.
7. The applicant does not own the adjacent properties, has no plans for future phases and will require no further wetlands impact on the lot for future use of the Town required right-of-ways.

2009-01195 WEEKS REVOC TRUST, STEPHEN
GILFORD Wet Meadow

Requested Action:

Dredge and fill approximately 2,600 sq.ft. of wet meadow for common driveway access to two lots in a four lot subdivision.

APPROVE PERMIT:

Dredge and fill approximately 2,600 sq.ft. of wet meadow for common driveway access to two lots in a four lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Harold E. Johnson, LLS dated 2-24-09, as received by DES on June 17, 2009.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Work shall be done during low flow.
4. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

6. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
7. Silt fencing must be removed once the area is stabilized.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
10. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 9 of this approval.
11. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.

With Findings:

1. The proposed project is necessary to enhance access within a developed right of way without introducing new impacts to larger wetland.
2. The proposed project is minimum impact pursuant to Env Wt 300.
3. The conditions on this permit shall ensure that the work is carried out with minimal impact to the wetlands resources and to the environment.

2009-01383 CAMP SPOFFORD EVANGELICAL FREE CHURCH
SPOFFORD Unnamed Stream

Requested Action:

Temporarily impact \pm 100 sq. ft. of unnamed intermittent stream to install water and septic lines to a proposed replacement building.

APPROVE PERMIT:

Temporarily impact \pm 100 sq. ft. of unnamed intermittent stream to install water and septic lines to a proposed replacement building.

With Conditions:

1. All work shall be in accordance with plans by Brickstone Masons, Inc. dated May 01, 2009, as received by the Department on July 02, 2009.
2. This permit is contingent on approval by the DES Shoreland Program.
3. This permit is contingent upon the restoration of \pm 100 sq. ft. of unnamed intermittent stream immediately following sewer and waterline installation.
4. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the temporary impact stream restoration area is constructed in accordance with the restoration plan and in accordance with this approval. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
5. Work shall be done during annual low flow conditions and in the dry.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.

15. Riprap shall not be installed in stream bed or banks.

16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

17. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the

channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2009-01455 BOTBYL, ALFRED
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath ConCom

2009-01496 SILVERMAN, KAREN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Conservation Commission

2009-01497 COSSETTE, TOM
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Conservation Commission

TRAILS NOTIFICATION

2009-01466 NH DRED - TRAILS BUREAU
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:

Berlin Tax Map/Lot# 407/93 & 409/1 Jericho Mountain State Park

2009-01467 NH DRED - TRAILS BUREAU
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:

Berlin Tax Map 407, Lot# 3 Jericho Mtn State Park

LAKES-SEASONAL DOCK NOTIF

2009-01451 SCHMIDT, PAUL
MOULTONBOROUGH Lake Kanasatka

COMPLETE NOTIFICATION:

Moultonboro Tax Map 112, Lot# 67 Lake Kanasatka

2009-01452 DUSSAULT, JOSEPH
CENTER HARBOR Hawkins Pond

COMPLETE NOTIFICATION:

Center Harbor Tax Map 1, Lot# 38 Hawkins Pond

2009-01453 SHEN, KAIROS
ENFIELD Mascoma Lake

COMPLETE NOTIFICATION:

Enfield Tax Map 27, Lot# 9 Mascoma Lake

2009-01454 REESE, DAVID
STODDARD Highland Lake

COMPLETE NOTIFICATION:

Stoddard Tax Map 127, Lot# 42 Highland Lake

2009-01485 SMITH, THOMAS
WAKEFIELD Pine River Pond

COMPLETE NOTIFICATION:
Wakefield Tax Map 69, Lot# 2

ROADWAY MAINTENANCE NOTIF

2009-01441 WARNER HIGHWAY DEPT, TOWN OF
WARNER Unnamed Stream

2009-01464 ALTON HIGHWAY DEPT, TOWN OF
ALTON Unnamed Stream

2009-01486 WINDHAM, TOWN OF
WINDHAM Unnamed Stream

COMPLETE NOTIFICATION:
Culvert replacement and extension

PERMIT BY NOTIFICATION

2009-01440 MCGEE, HARRY
SUTTON Unnamed Wetland

Requested Action:

Dredge and fill \pm 660 sq. ft. of intermittent stream and palustrine forested wetlands to install a 15-inch x 24-foot corrugated plastic culvert for access to the northern portion of an existing lot of record.

PBN IS COMPLETE:

Dredge and fill \pm 660 sq. ft. of intermittent stream and palustrine forested wetlands to install a 15-inch x 24-foot corrugated plastic culvert for access to the northern portion of an existing lot of record.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(8), the installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot for noncommercial, recreational, uses that meets the criteria in Env-Wt 303.04(z).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

4. The house was constructed in the 1950's.
5. No subdivision is planned.

CSPA PERMIT

2009-00886 WADSWORTH, DAVID
LACONIA Lake Opechee

Requested Action:

Impact 3,533 sq ft for the purpose of removing a detached garage and driveway, and constructing a driveway, an attached garage and an addition onto an existing single-family dwelling.

APPROVE PERMIT:

Impact 3,533 sq ft for the purpose of removing a detached garage and driveway, and constructing a driveway, an attached garage and an addition onto an existing single-family dwelling.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated May 6, 2009 and received by the Department of Environmental Services ("DES") on May 14, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The proposed rain garden shall be installed within 60 days of completion of the proposed foundation.
4. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (i).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No more than 27.2 % of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-00918 WEBB, SHARON
SPOFFORD Spofford Lake

Requested Action:

Impact 5200 sq ft for the purpose of constructing a detached 3 bay garage.

APPROVE PERMIT:

Impact 5200 sq ft for the purpose of constructing a detached 3 bay garage.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated May 4, 2009 and received by the Department of Environmental Services ("DES") on June 24, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No more than 11.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. The project as proposed will leave approximately 14,537 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 14,537 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01011 HEBERT, DAVID
LACONIA Lake Opechee

Requested Action:

Impact 2100 sq ft for the purpose of constructing a 900 sq ft detached garage.

APPROVE PERMIT:

Impact 2100 sq ft for the purpose of constructing a 900 sq ft detached garage.

With Conditions:

1. All work shall be in accordance with plans by Gary Cartier dated June 19, 2009 and received by the Department of Environmental Services ("DES") on June 19, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. The project as proposed will leave approximately 300 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b),(2),(A),(i).
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No more than 14.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01012 ACT FIVE LLC
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 3,880 sq ft for the purpose of constructing an addition and an attached garage onto an existing single-family dwelling and installing a state approved septic system.

APPROVE PERMIT:

Impact 3,880 sq ft for the purpose of constructing an addition and an attached garage onto an existing single-family dwelling and installing a state approved septic system.

With Conditions:

1. All work shall be in accordance with plans by Joanne K. Coppinger dated May 14, 2009 and received by the Department of Environmental Services ("DES") on May 27, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No more than 18.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 1,733 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (i).
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01026 PETERS, ARMAND
MEREDITH Lake Waukewan

Requested Action:

Impact 1353 sq ft for the purposes of constructing an addition onto an existing single-family dwelling and expanding an existing deck.

APPROVE PERMIT:

Impact 1353 sq ft for the purposes of constructing an addition onto an existing single-family dwelling and expanding an existing deck.

With Conditions:

1. All work shall be in accordance with plans by Albert Stevenin Jr. revised May 18, 2009 and received by the Department of Environmental Services ("DES") on May 28, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No more than 19.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
7. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2009-01175 YAFFE FAMILY REVOC TRUST, PHYLLIS YAFFE
WINDHAM Cobbetts Pond**

Requested Action:

Impact 1,460 sq ft for the purpose of installing new concretee slap and reconstucting dwelling damaged by fire.

APPROVE PERMIT:

Impact 1,460 sq ft for the purpose of installing new concretee slap and reconstucting dwelling damaged by fire.

With Conditions:

1. All work shall be in accordance with plans by Benchmar Engineering, Inc. dated May 21, 2009 and received by the Department of Environmental Services ("DES") on June 15, 2009.
2. No more than 68% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 419 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2). 3
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

12. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2009-01176 NH DEPT OF TRANSPORTATION
HARRISVILLE Silver Lake

Requested Action:

Impact 19,830 sq ft for the purpose of restoring an existing boat ramp and associated structures to enable the area to better intercept and infiltrate stormwater runoff.

APPROVE PERMIT:

Impact 19,830 sq ft for the purpose of restoring an existing boat ramp and associated structures to enable the area to better intercept and infiltrate stormwater runoff.

With Conditions:

1. All work shall be in accordance with plans by Geosyntec Consultants dated May 15, 2009 and received by the Department of Environmental Services ("DES") on June 15, 2009.
2. No more than 16.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 9,952 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9,952 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
13. This permit is contingent on approval by the wetlands bureau for impacts jurisdictional under RSA 482-A.

2009-01177 POTTER, ROBERT
SANDOWN Exeter River

Requested Action:

Impact 3,386 sq ft for the purpose of constructing a new conforming, 2 bedroom dwelling unit, pervious patio and installing a dry well.

APPROVE PERMIT:

Impact 3,386 sq ft for the purpose of constructing a new conforming, 2 bedroom dwelling unit, pervious patio and installing a dry well.

With Conditions:

1. All work shall be in accordance with plans by Robert E. Potter dated June 8, 2009 and received by the Department of Environmental Services ("DES") on June 15, 2009.
2. No more than 7.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,366 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,079 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit is contingent on approval by the DES Subsurface Systems Bureau.
13. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.

2009-01242 CAMP WALLULA INC
NEW LONDON Little Sunapee Lake

Requested Action:

Impact 850 sq ft for the purpose of constructing an infiltration trench and water lines.

APPROVE PERMIT:

Impact 850 sq ft for the purpose of constructing an infiltration trench and water lines.

With Conditions:

1. All work shall be in accordance with plans C-7 by Jesseman Associates Consulting Engineers revised June 5, 2009 and received by the Department of Environmental Services ("DES") on June 19, 2009.
2. All impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
3. This permit does not grant the holder the authorization to subdivide lots of record. Should any authorized subdivision take place, lots shall be divided so as to comply with the requirements of RSA 483-B.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No more than 13.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
9. The project as proposed will leave approximately 32,854 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 32,854 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the conditions or structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01276 WEBBER, DAVID & TRACY
WAKEFIELD Pine River Pond

Requested Action:

Impact 2,688 sq ft for the purpose of removing an existing shed and constructing a new detached garage.

APPROVE PERMIT:

Impact 2,688 sq ft for the purpose of removing an existing shed and constructing a new detached garage.

With Conditions:

1. All work shall be in accordance with plans by Fogg Environmental Design, LLC, dated and received by the Department of Environmental Services ("DES") on June 22, 2009 and July 15, 2009.
2. No more than 25.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 0.0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,250 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

2009-01280 READ, ALAN & HOLLY
WOODSTOCK Pemigewasset River

Requested Action:

Impact 2294 sq ft for the purpose of constructing an addition onto an existing single family dwelling.

APPROVE PERMIT:

Impact 2294 sq ft for the purpose of constructing an addition onto an existing single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Kellogg Surveying and Mapping Inc dated May 2009 and received by the Department of Environmental Services ("DES") on June 22, 2009. 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.

4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No more than 12.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

8. The project as proposed will leave approximately 6,580 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).

9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01281 ROMAN CATHOLIC BISHOP, OUR LADY OF LOURDES
NORTHWOOD Harvey Lake

Requested Action:

Impact 741 sq ft for the purpose of constructing a recreational trail.

APPROVE PERMIT:

Impact 741 sq ft for the purpose of constructing a recreational trail.

With Conditions:

1. All work shall be in accordance with plans created by Robert Correa and received by the Department of Environmental Services ("DES") on June 23, 2009.
2. No more than 1.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 27,001 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2009-01286 SLOTNICK, ARTHUR
ALTON Lake Winnepesaukee

Requested Action:

Impact 175 sq ft for the purpose of connecting two existing decks.

APPROVE PERMIT:

Impact 175 sq ft for the purpose of connecting two existing decks.

With Conditions:

1. All work shall be in accordance with plans by Arthur Slotnick dated June 17, 2009 and received by the Department of Environmental Services ("DES") on June 24, 2009.
2. No more than 6.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50' and 150' feet of the reference line associated with the proposed

project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).

4. No portion of the proposed deck may extend more than 12' lake ward from the existing foundation in order to comply with RSA 483-B:11, I

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2009-01294 NEW BOSTON, TOWN OF
NEW BOSTON Piscataquog River**

Requested Action:

Impact 17,731 sq ft for the purpose constructing a 7,000 sq ft town library, a 192 sq ft shed and a 9,400 sq ft parking area.

APPROVE PERMIT:

Impact 17,731 sq ft for the purpose constructing a 7,000 sq ft town library, a 192 sq ft shed and a 9,400 sq ft parking area.

With Conditions:

1. All work shall be in accordance with plan sheet 2 by Todd Land Use Consultants dated June 16, 2009 and received by the Department of Environmental Services ("DES") on June 24, 2009.

2. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.

3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No more than 5.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

8. The project as proposed will leave approximately 56,160 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 56,160 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The Natural Heritage Bureau (NHB) review has indicated presence of the state endangered, brook floater in the project vicinity.
2. In e-mail correspondence the NHFG Nongame and Endangered Wildlife Program communicated concerns regarding project siting of the library in the riparian buffer and general floodplain impacts on water quality, brook floater mussel and wood turtle. Relocating the project site out of the high quality riparian areas was suggested.
3. The Applicant response received dated April 28, 2009 communicated the Town feels there are no alternative sites available for construction of a library but would leave 40% of the existing field to be used as an education site to inform the public about riparian ecosystems.
4. The town proposes two box culverts crossing the old canals to allow for wildlife corridors, closed drains on the building and parking lot, cover for the parking lot and any paths from there to the library shall not be paved with an impervious cover, no use of salt or calcium in the parking lot, no curbing for the parking lot, and snow shall be plowed away from the river bank.

HEARINGS

2008-01436

GREAT HILL RESERVATION TRUST, SPAULDING & LINCOLN

TAMWORTH Unnamed Stream

PRIME WETLANDS HEARING: 07/15/2009 12:30:00 PM

Temporarily impact 2900 sq. ft. of wetlands to restore four rutted areas of a trail. Permanently impact 2160 sq. ft. of forested wetland for the placement of log corduroy within four sections of the trail. 350 sq. ft. of the permanent wetland impacts are within 100 feet of a prime wetland.